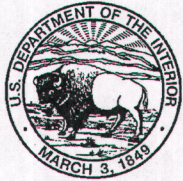


5162310088  
cc:wayne



## United States Department of the Interior

### BUREAU OF LAND MANAGEMENT

Fillmore Field Office

95 East 500 North

Fillmore, UT 84631

<http://www.blm.gov/ut/st/en/fo/fillmore.html>



IN REPLY REFER TO:  
3809 (UTW02000)  
UTU-79862

March 24, 2014

CERTIFIED MAIL # 7012 3460 0000 6633 1233  
RETURN RECEIPT REQUESTED

RECEIVED

MAR 27 2014

DIV. OF OIL, GAS & MINING

### DECISION

Kenneth Lowder	:	
Metamining of Utah	:	43 CFR 3809 - Surface Management
459 South 300 East	:	Plan of Operations
Springville, Utah 84663	:	

### NONCOMPLIANCE ORDER RESCINDED

The Noncompliance Order issued for your Black Desert Mine on August 27, 2013 is rescinded. Your Plan of Operations, UTU-79862, is located in aliquot parts of Section 15, Township 14 South, Range 11 West; Salt Lake Meridian. Please refer to this number in future correspondence. The corresponding Utah Division of Oil, Gas and Mining (UDOGM) case file number is S/023/0088.

We received your revised Plan of Operations on December 4, 2013, and we received your current mailing address on March 7, 2014. The revised Plan now contains an acceptable Interim Management Plan, as required in the Code of Federal Regulations (CFR) in 43 CFR §3809.401(b)(5)(v) and (vi), and you have submitted a schedule in which you have stated that you will visit the site every two weeks during periods of extended closure. You have stated that there will be no storage of equipment at the site and no occupancy. You have also stated that warning signs will be posted to alert the public of potential hazards and that water bars, silt fences, and berms will be used to stabilize the site and control erosion. The submitted statements and proposed mitigation actions satisfy the minimum BLM requirements for a complete Plan of Operations.

The previously determined Financial Guarantee, or reclamation bond, amount of \$25,100.00 was agreed upon by UDOGM and the BLM. That amount will remain unchanged at present unless you expand your operations and surface disturbance areas. The next regular three-year bond review for the BLM will be due in September 2016. UDOGM will review your bond adequacy

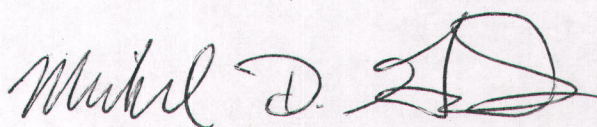


to State standards for a small mine in 2015. Please contact UDOGM for additional information about the UDOGM bond review process.

If you propose any expansion of operations or surface disturbance areas, you must submit a new Reclamation Cost Estimate (RCE) prior to the expansion and receive approval from the BLM and UDOGM. As specified in 43 CFR §3809.420, please include a description of how you will complete reclamation to standards in any future Plan amendment or revision. Also, if you propose an amendment or expansion of your operation, please also include a revised estimate of the cost to fully reclaim your operations, as required in 43 CFR §3809.552.

If you have any questions, please contact Duane Bays, Fillmore Field Office Natural Resource Specialist, at (435) 743-3115.

Sincerely

A handwritten signature in black ink, appearing to read "Michael D. Gates", followed by a large, stylized circular flourish.

Michael D. Gates  
Field Manager

cc:

Paul Baker  
UDOGM  
1594 W North Temple, Suite 1210  
Salt Lake City, UT 84114

Opie Abeyta (UT-923)  
Rita Stelmach (UT-923)  
Utah State Office/ BLM  
440 West 200 South, Suite 500  
Salt Lake City, UT 84101